

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CARMEN CAMILO,

Plaintiff,

v.

11-CV-1345 (DAB)(MHD)  
ADOPTION OF REPORT AND  
RECOMMENDATION

CAROLYN W. COLVIN,  
ACTING COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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DEBORAH A. BATTS, United States District Judge.

This matter is before the Court on a Report and Recommendation from United States Magistrate Judge Michael H. Dolinger dated January 13, 2014 ("Report"), which recommends granting the unopposed motion of Plaintiff's counsel for an award of attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A) ("EAJA"), in the amount of \$4,123.64. For the reasons stated below, the Report and Recommendation is adopted in its entirety and the motion is GRANTED.

I. Background

The Court adopts the recitation of the facts as provided in the Report. In brief, this suit arises from Plaintiff's challenge to a decision by the Commissioner of Social Security denying Plaintiff's application for disability benefits. By

Order dated October 2, 2013, this Court adopted a Report and Recommendation issued by Magistrate Judge Dolinger and remanded the case to the Commissioner for further proceedings.

Plaintiff's counsel subsequently filed an application for an award of fees under the EAJA in the amount of \$4,123.64. The Commissioner did not oppose Plaintiff's counsel's motion, and the Report recommends granting the motion and awarding the requested fees.

"Within 14 days after being served with a copy [of a Magistrate Judge's Report and Recommendation], a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2); accord 28 U.S.C. § 636(b)(1). The Court may adopt those portions of the Report to which no timely objection has been made, as long as there is no clear error on the face of the record. Wilds v. United Parcel Serv., Inc., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (citation omitted). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate. 28 U.S.C. § 636(b)(1). Neither Party has filed an objection to the Report.

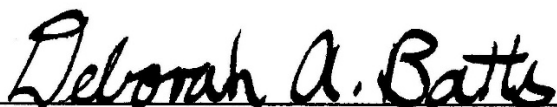
Having reviewed the Report and finding no clear error on the face of the record, it is hereby ORDERED that the Report is APPROVED, ADOPTED, and RATIFIED by the Court, and Plaintiff's

Counsel's Motion for Attorney's Fees Pursuant to the Equal  
Justice Act is GRANTED.

SO ORDERED.

Dated: May 26, 2015

New York, New York

  
Deborah A. Batts  
United States District Judge